vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3538 OF 2005

Gulabchand Bhaichand Shah & ors. ... Petitioners

V/s.

Shrikrishna Madhav Kulkarni ... Respondent

Mr.P.S. Dani for Petitioners
Mr.S.G. Deshmukh for Respondent

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **AUGUST 24, 2005**

P.C.:

. The Petition challenges the order of the trial Court and the appellate Court. The trial Court has decreed the suit in favour of the Respondent, the original plaintiff, on the ground of default in payment of rent, bonafide requirement and acquisition of suitable accommodation. The appellate Court has confirmed the decree of the trial Court. In my view, there is no infirmity in the concurrent orders of the Courts below and hence, there is no need to interfere with the with the same under Article 227 of the Constitution of India. Petition is rejected.

2. On application of the learned Advocate for the Petitioners, time to vacate the suit premises is granted

upto 31.5.2006 on condition that all the adult members in the family of the Petitioners file an undertaking in this Court in the usual terms within four weeks from today.